

RONALD A. DENEWETH
CHRIS M. PARFITT
MARK D. SASSAK
ANTHONY VITTIGLIO II*
MATTHEW C. HERSTEIN**
ALEXANDER CHOI
JACOB A. KAHN***

LAW OFFICES
DENEWETH, VITTIGLIO & SASSAK
PROFESSIONAL CORPORATION
1175 WEST LONG LAKE ROAD, SUITE 202
TROY, MICHIGAN 48098-4437
TELEPHONE 248-290-0400
FACSIMILE 248-290-0415
WWW.MICHIGANCONSTRUCTIONLAW.NET

OF COUNSEL
EDWARD A. RYDER

ALSO ADMITTED IN:
*FLORIDA
**NORTH CAROLINA
***CALIFORNIA

March 29, 2023

SUBMITTED ELECTRONICALLY VIA FOIA.gov

National FOIA Office
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2310A)
Washington, DC 20460

Attention: FOIA Compliance Officer

Re: Documents Regarding Site Soils/Dirt/Materials Including Correspondence, Submissions, Plans, Permits, Inspections, Approvals, Denials, and Related Documents in the EPA's Files

Project: Soils investigation and testing, excavation, disposal, and other earthwork at and around the new parking lot and new underground storm retention pond/system in the area the former powerhouse and coal pile at the historical Burroughs site in Plymouth, MI

Project Location: Real property commonly known as 41000-41100 Plymouth Rd., Plymouth, MI 48170

Project Owner: Believed to be Plymouth 848, LLC, Crute Properties, LLC and/or a related entity

DVS File No.: 4530.15

***** FREEDOM OF INFORMATION ACT REQUEST *****

Dear FOIA Compliance Officer:

The following is a request for documents pursuant to the United States Freedom of Information Act, 5 U.S.C. § 552, as amended (including amendment by Public Law No. 104-231, 110 Stat. 3048) and, to the extent applicable, also pursuant to the Michigan Freedom of Information Act, Act No. 442 of the Public Acts of 1976, as amended.

Pursuant to the aforementioned Act(s), I respectfully request copies of all files and other documents related to any governmental regulation, permitting, inspection, soils investigation, soils/material testing, excavation, movement, removal, hauling, disposal, and other earthwork at and around the new parking lot and new underground storm retention pond/system in the area the former powerhouse and coal pile at the historical Burroughs site in Plymouth, Michigan, which is "commonly known as" 41000-41100 Plymouth Rd., Plymouth, Michigan, 48170, and which is referred to herein as the "**Burroughs Earthwork Project**") including but not limited to the following documents with respect to the above noted construction project:

*** **FREEDOM OF INFORMATION ACT REQUEST** ***

March 29, 2023

US EPA FOIA Compliance Officer

Re: Documents Regarding Site Soils/Dirt/Materials Including Correspondence, Submissions, Plans, Permits, Inspections, Approvals, Denials, and Related Documents in the EPA's Files

Project: Soils investigation and testing, excavation, disposal, and other earthwork at and around the new parking lot and new underground storm retention pond/system in the area the former powerhouse and coal pile at the historical Burroughs site in Plymouth, MI

Project Location: Real property commonly known as 41000-41100
Plymouth Rd., Plymouth, MI 48170

Project Owner: Believed to be Plymouth 848, LLC, Crute Properties, LLC and/or a related entity

DVS File No.: 4530.15

Page 2

1. The U.S. Environmental Protection Agency's ("EPA") complete files (by whatever name they are known) with respect to any aspect of the Burroughs Earthwork Project from January 2018 to the present.
2. All documents related to the application for permits, submittal reviews, submittal rejections, issuance of permits, inspections, citations, approvals, certifications, certificates of compliance, and related reviews and reports for the Burroughs Earthwork Project including all plans and paperwork submitted to the EPA.
3. All filings, permits, and communications with the State of Michigan Department of Environment, Great Lakes, and Energy ("EGLE"), the City of Plymouth, Plymouth Township, and/or Wayne County with respect to the Burroughs Earthwork Project.
4. All other submissions to the EPA by Plymouth 848, LLC and/or its architects, engineers, environmental consultants, or anyone else on Plymouth 848, LLC's behalf, together with all responses thereto by the EPA.
5. All other submissions to the EPA by Crute Properties, LLC and/or its architects, engineers, environmental consultants, or anyone else on Crute Properties, LLC's behalf, together with all responses thereto by the EPA.
6. All records of inspections, correction lists, rejections, and/or approvals of any aspect of the Burroughs Earthwork Project.
7. All agreements between the EPA and Plymouth 848, LLC, between the EPA and Crute Properties, LLC, and/or between the EPA and others, with respect to the Burroughs Earthwork Project.
8. All correspondence between anyone at the EPA and any third-party regarding the Burroughs Earthwork Project (including all written correspondence and all emails with their respective attachments).
9. All pre-construction investigations, assessments, observations, summaries, reports, surveys, notes, memoranda, as-built plans, photographs, digital images, video recordings, audio recordings, and pre-construction meeting minutes.
10. All assessment, designs, construction plans, and restoration plans for the Burroughs Earthwork Project.

*** **FREEDOM OF INFORMATION ACT REQUEST** ***

March 29, 2023

US EPA FOIA Compliance Officer

Re: Documents Regarding Site Soils/Dirt/Materials Including Correspondence, Submissions, Plans, Permits, Inspections, Approvals, Denials, and Related Documents in the EPA's Files

Project: Soils investigation and testing, excavation, disposal, and other earthwork at and around the new parking lot and new underground storm retention pond/system in the area the former powerhouse and coal pile at the historical Burroughs site in Plymouth, MI

Project Location: Real property commonly known as 41000-41100
Plymouth Rd., Plymouth, MI 48170

Project Owner: Believed to be Plymouth 848, LLC, Crute Properties, LLC and/or a related entity

DVS File No.: 4530.15

Page 3

11. All records of testing, analysis, and governmental regulation of the soil/dirt/materials at the Burroughs Earthwork Project including, but not limited to, all soils reports and soils testing results.
12. All reports, meeting minutes, and records of inspection/investigation for any aspect of the Burroughs Earthwork Project.

If the search and copy fees will be \$300.00 or less, please copy the requested materials and we will promptly remit the search and copy fees. If the search and copy fees will be greater than \$300.00, please let me know when the records can be available for our review so that we can mark documents for copying, and we will promptly remit the search fees and copying fees upon being advised of their amount. Thank you for your attention to this matter. If you have any questions, please feel free to call.

Very truly yours,

DENEWETH, VITTIGLIO & SASSAK, P.C.

/s/ Mark D. Sassak

Mark D. Sassak
Direct No.: (248) 290-0404
msassak@dvs-law.com